

Remarks

The restriction requirement

The invention has been restricted into the following groups:

- I. Claims 20-26, 28, 44, 46, 48, 50-56, 72, and 74, drawn to methods for increasing the secretion of a protein from a cell
- II. Claims 29 (in part), 30-35, 37, 45, 47, 49, 57, 59-71, 73, and 75, drawn to methods of promoting the release of a heat shock protein/antigenic peptide complex from a cell
- III. Claims 29 (in part) and 58, drawn to methods of promoting the release of a heat shock protein/antigenic peptide complex from a cell, including introducing a nucleic acid encoding the heat shock protein

The Applicants elect Group II, Claims 29, 30-35, 37, 45, 47, 49, 57, 59-71, 73, and 75, without traverse.

The species elections

The Applicants have been required to elect from among a variety of:

Oligomerization domains: the Applicants elect, without traverse, pentamerization domains. The claims of Group II reading on this species are: 29-32, 34, 45, 49 (with respect to SEQ ID NOs: 13, 15, 17, 19, 23, 25, 27, and 34), 57, 59-71, 73, and 75 (with respect to SEQ ID NOs: 14, 16, 18, 20, 24, 26, 28, and 35).

KDELr inhibitor proteins: the Applicants elect, without traverse, SEQ ID NO:23 or the protein encoded by SEQ ID NO:24. The claims of Group II reading on this species are: 29-32, 34 (with respect to cartilage oligomeric matrix protein), 45 (with respect to SEQ ID NO:2), 49 (with respect to SEQ ID NO:23), 57, 59-71, 73, and 75 (with respect to SEQ ID NO:24).

Methods of expressing the (KDEL receptor inhibitor) protein in a cell: the Applicants elect, without traverse, expressed as a result of introduction of a nucleic acid. The claims of Group II reading on this species are: 29-35, 37, 45, 47, 49, 57, 62-71, 73, and 75.

Moieties conjugated to the KDELr inhibitor: the Applicants elect, without traverse, folate. The claims of Group II reading on this species are: 29-35, 37, 45, 47, 49, 59, 60 (with respect to folate), 62-71, and 73.

Cancer, infective agent, or oncogene-associated protein: the Applicants elect, without traverse, melanoma. The claims of Group II reading on this species are: 29-35, 37, 45, 47, 49, 57, 59-61, 62 (with respect to cancer), 63 (with respect to melanoma), 73, and 75.

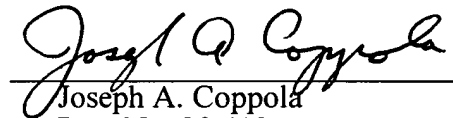
X in X-Asp-Glu-Leu: the Applicants elect, without traverse, Lys. The claims of Group II reading on this species are: 29-35, 37, 45, 47, 49, 57, 59-71, 73 (with respect to Lys), and 75.

The claims of Group II reading on all elected species are: 29-32, 34 (with respect to cartilage oligomeric matrix protein), 45 (with respect to SEQ ID NO:2), 49 (with respect to SEQ ID NO:23), 62 (with respect to cancer), 63 (with respect to melanoma), and 73 (with respect to Lys).

The time for responding to the Office Action was set for June 23, 2003. Enclosed herewith is a Petition for the Extension of Time under 37 C.F.R. § 1.136(a) for a period sufficient to permit the filing of this response.

The Applicants hereby make a Conditional Petition for any relief available to correct any defect seen in connection with this filing, or any defect seen to be remaining in this application after this filing. The Commissioner is authorized to charge Kenyon & Kenyon's Deposit Account No. 11-0600 for the Petition fee and any other fees required to effect this Conditional Petition.

Respectfully submitted,


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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

34. (twice amended) The method of claim 32, wherein the pentamerization domain is derived from a cartilage oligomeric matrix protein, TSP3, or a phospholamban protein [or a phospholamban protein].

37. (twice amended) The method of claim 35, wherein the thrombospondin protein is [TSP3 or] TSP4.